

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

DAVID EDWARD RICHARDSON,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:05-cv-709-MHT-DRB
)	
GENEVA COUNTY JAIL, et al.)	
)	
Defendants.)	

DEFENDANTS' MOTION FOR EXTENSION OF TIME

COME NOW Greg Ward, Sheriff of Geneva County, Alabama, Carl Rowe, Jail Administrator of the Geneva County Jail, Jailer Donald Weeks, and Marton Amber Paul, Defendants in the above-styled cause, and move this Honorable Court for an extension of time of 40 days in which to file their Special Report and Answer which is presently due on September 12, 2005. As grounds for said motion, Defendants state as follows:

1. On August 3, 2005, this Court entered an Order directing the Defendants to file a Special Report in the above-styled cause on or before September 12, 2005.
2. The Geneva County Sheriff's Department are currently helping the Town of Waveland, Mississippi, in the aftermath of Hurricane Katrina. Thus, much of the staff of the Geneva County Sheriff's Department are unavailable at the present time.
3. The gathering of information with which to formulate the Special Report has taken longer than expected. Counsel for Defendants has yet to meet with all the Defendants for the purpose of ascertaining the facts of the case and obtaining the documents located at the Geneva County Sheriff's Department relevant to Plaintiff's allegations. In addition, it may be

necessary to obtain additional documents relating to the Plaintiff's incarceration made the basis of his Complaint.

4. Defendants are in need of this additional time to fully respond to the Plaintiff's allegations.

5. Defendants have not previously requested an extension of time in this case.

6. Plaintiff will not be prejudiced by the requested extension.

WHEREFORE, PREMISES CONSIDERED Defendants respectfully request this Honorable Court grant their Motion for Extension of Time to file their Special Report and Answer up to and including October 24, 2005.

Respectfully submitted this 9th day of September, 2005.

s/C. Richard Hill, Jr.
C. RICHARD HILL, JR. Bar No. HIL045
Attorney for Defendants

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CERTIFICATE OF SERVICE

I hereby certify that on this the 9h day of September, 2005, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I have mailed a true and correct copy of the foregoing by United States Mail, postage prepaid, to the following non-CM/ECF participant:

David E. Richardson
AIS# 178699
Geneva County Jail
P.O. Box 115
Geneva, AL 36340

s/C. Richard Hill, Jr.
OF COUNSEL